

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

HOLLY LYNN SMITH,

Defendant.

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8:05CR254

**ORDER**

Before the court is defendant's unopposed Motion to Continue [37] the Change of Plea Hearing previously scheduled for October 14, 2005. Good cause being shown, the motion is granted and the Change of Plea hearing will be rescheduled.

IT IS ORDERED:

1. That the Motion to Continue [37] is granted; and
2. That the Change of Plea hearing is continued to **November 3, 2005 at 3:00 p.m.** before Magistrate Judge F.A. Gossett, Courtroom No. 6, Second Floor, Roman L. Hruska U.S. Courthouse, 111 So. 18<sup>th</sup> Plaza, Omaha, Nebraska.

For this defendant, the time between **October 13, 2005** and the **hearing** on the anticipated plea of guilty **is excluded** for purposes of computing the limits under the Speedy Trial Act. **See** 18 U.S.C. § 3161(h)(1)(I)&(h)(8)(A)(B).

Since this is a criminal case, the defendant must be present, unless excused by the Court.

DATED this 18<sup>th</sup> day of October, 2005.

BY THE COURT:

s/ F.A. Gossett  
United States Magistrate Judge